

# ARTICLE I: SUBDIVISION CODE ENACTMENT AND APPLICABILITY

## ARTICLE I: SUBDIVISION CODE ENACTMENT AND APPLICABILITY ..... I -- 1

### Chapter 18.010

#### **Subdivision Code Enactment** ..... I -- 3

18.010.010 *Title* ..... I -- 3

18.010.020 *Authority* ..... I -- 3

18.010.030 *Adoption of Code* ..... I -- 3

### Chapter 18.020

#### **Purpose and Scope** ..... I -- 4

18.020.010 *Purpose* ..... I -- 4

18.020.020 *Scope* ..... I -- 4

### Chapter 18.030

#### **Relationship to Other Provisions** ..... I -- 5

18.030.010 *Relationship to Prior Code* ..... I -- 5

18.030.020 *Relationship to the Zoning Code* ..... I -- 5

18.030.030 *Relationship to the General Plan, Specific Plan and Street Alignments* ..... I -- 5

18.030.040 *Relationship to the Subdivision Map Act* ..... I -- 5

18.030.050 *Relationship to the California Environmental Quality Act* ..... I -- 6

### Chapter 18.040

#### **Subdivision Code Applicability** ..... I -- 7

18.040.010 *Prior Rights and Violations* ..... I -- 7

18.040.020 *Conflicts with Other Regulations* ..... I -- 7

~~18.040.030 *Termination* ..... I -- 7~~

This page intentionally left blank.

**Chapter 18.010*****Subdivision Code Enactment***

---

**18.010.010 Title**

This Title 18 constitutes, and may be referred to as, the Subdivision Code of the City of Riverside.

**18.010.020 Authority**

This Subdivision Code is enacted based on the authority vested in the City of Riverside and the State of California, including but not limited to: the State Constitution, Subdivision Map Act (California Government Code Section 66410 - 66499.58), Planning and Zoning Law (California Government Code Section 65000 et seq.) and the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.).

**18.010.030 Adoption of Code**

This Subdivision Code, the comprehensive subdivision regulations of the City, is hereby adopted in conformance with current State planning, zoning, subdivision and related development laws.

**Chapter 18.020**

---

***Purpose and Scope***

---

**18.020.010 Purpose**

The purpose of this Subdivision Code is to regulate and control the design and improvement of subdivisions in order to achieve the following purposes:

- A. To assist in implementing the Riverside General Plan adopted by the City Council as a long-range, general comprehensive guide to the physical development of the City;
- B. To provide lots of sufficient size and appropriate design for the purposes for which they are to be used;
- C. To provide streets of adequate capacity and design for the traffic that will utilize them and to ensure maximum safety for pedestrians and vehicles;
- D. To provide sidewalks or pedestrianways where needed for the safety and convenience of pedestrians;
- E. To preserve the natural assets of the City's setting, to prevent the indiscriminate clearing of property and the destruction of trees and shrubs and other desirable landscape features, to ensure adequate access to each building site, and to create new beauty and safeguard the public safety and welfare through skilled subdivision design;
- F. To provide adequate systems of water supply, sanitary sewage disposal, storm drainage, street lighting, and other utilities needed for the public health, safety and convenience;
- G. To provide adequate sites for other public facilities needed to serve the residents of the new developments;
- H. To ensure that the costs of providing land for streets, alleys, pedestrian ways, easements, and other rights-of-way, and for the improvements therein needed to serve new developments, are borne by the subdividers rather than by the taxpayers of the City at large;
- I. To ensure that, insofar as possible, land is subdivided in a manner that will promote the public health, safety, convenience, and general welfare; and
- J. To encourage clustering, the preservation of natural features and limit grading.

**18.020.020 Scope**

Unless otherwise provided by law, the provisions contained in this Subdivision Code shall apply to all real property contained within the corporate limits of the City of Riverside.

**Chapter 18.030*****Relationship to Other Provisions*****18.030.010 Relationship to Prior Code**

The provisions of this Subdivision Code, as it existed prior to the effective date of Code No: Ordinance *(Insert ordinance number to adopt this update)*, are repealed and superseded as provided in the ordinance enacting this Code. No provision of this Code shall validate or legalize any subdivision established or maintained in violation of this Code as it existed prior to repeal by the ordinance enacting this Code.

**18.030.020 Relationship to the Zoning Code**

All maps approved pursuant to the provisions of this Title shall conform with the City's Zoning Code (Title 19 of this Code) with respect to the uses of land, lot sizes and dimensions, and other applicable regulations.

Pursuant to the Land Use Element of the General Plan and Title 19 (19.780.050) the Planning Commission shall determine the base number of dwelling units allowable in a planned residential development (PRD) based on benchmark densities for the underlying zone in which the project is located. Benchmark densities for a PRD by zone are shown in Table 19.780.040. The minimum standards for a project to qualify for a PRD with the benchmark density are that it be adequately served by public infrastructure, including good access to public and private services, and that the site is well designed with desirable amenities in accordance with adopted Citywide Design Guidelines and in accordance with City Codes (Note: Compliance with City Codes allows for granting of variances in certain instances.) In order for a project to qualify as a PRD it must meet these minimum benchmark density requirements. In the case of PRD's in the RC Zone, the following additional criteria apply to qualifying for the benchmark density:

- A. Retention of unique natural features, including arroyos, hillsides and rock outcroppings, in natural open space areas or otherwise as part of the project.
- B. Placement of buildings demonstrating sensitivity to the natural topographic and habitat features of the site, including clustering of homes in order to preserve such natural features and valuable natural open space, both for wildlife habitat and visual aesthetic purposes.

**18.030.030 Relationship to the General Plan, Specific Plan and Street Alignments**

All maps approved pursuant to the provisions of this Title shall conform with the principles and standards of the General Plan and with any applicable specific plans with respect to population densities and distribution, locations, alignments and sizes of public streets, easements, improvements, areas and provision of sites for schools, parks, public buildings, streets, trails, linkages or other public facilities in accordance with the recommendations of such plan.

Pursuant to the Land Use Element of the General Plan and Title 19 (19.780.050) the Planning Commission shall determine the base number of dwelling units allowable in a planned residential development (PRD) based on benchmark densities for the underlying zone in which the project is located. Benchmark densities for a PRD by zone are shown in Table 19.780.040. The minimum standards for a project to qualify for a PRD with the benchmark density are that it be adequately served by public infrastructure, including good access to public and private services, and that the site is well designed with desirable amenities in accordance with adopted Citywide Design Guidelines and in accordance with City Codes (Note: Compliance with City Codes allows for granting of variances in certain instances.) In order for a project to qualify as a PRD it must meet these minimum benchmark density requirements. In the case of PRD's in the RC Zone, the following additional criteria apply to qualifying for the benchmark density:

- A. Retention of unique natural features, including arroyos, hillsides and rock outcroppings, in natural open space areas or otherwise as part of the project.
- B. Placement of buildings demonstrating sensitivity to the natural topographic and habitat features of the site, including clustering of homes in order to preserve such natural features and valuable natural open space, both for wildlife habitat and visual aesthetic purposes.

**18.030.040 Relationship to the Subdivision Map Act**

The provisions of this Title are adopted pursuant to, in compliance with, and in furtherance of the State Subdivision Map Act (California Government Code Section 66410 et seq.) All provisions of the Subdivision Map Act and future amendments thereto not incorporated in this Title shall apply to all subdivisions, subdivision maps and proceedings under this Title.

**18.030.050 Relationship to the California Environmental Quality Act**

When a project is determined to be subject to the provisions of the California Environmental Quality Act (CEQA), the application shall be reviewed in accordance with the provisions of this Subdivision Code, Public Resources Code Section 21000 et seq., Section 15000 et seq. of Title 14 of the California Code of Regulations (the CEQA Guidelines) and the environmental guidelines/regulations adopted by the City of Riverside Resolution ~~2110619478~~, or any subsequent revision thereto.

**Chapter 18.040**

---

***Subdivision Code Applicability***

---

**18.040.010 Prior Rights and Violations**

The enactment of this Subdivision Code shall not terminate nor otherwise affect vested subdivision maps, approvals or agreements authorized under the provisions of any **prior** ordinance or resolution, nor shall violation of any prior ordinance or resolution be excused by the adoption of this Code.

**18.040.020 Conflicts with Other Regulations**

Where any conflict occurs between the provisions of this Subdivision Code and the provisions of other Titles of the Riverside Municipal Code or other regulations adopted by the City, the more restrictive provisions shall apply. Nothing contained in this Subdivision Code shall be deemed to repeal or amend any regulation of the City requiring a permit or license or both, nor shall anything in the Subdivision Code be deemed to repeal or amend other Titles of the Municipal Code.

**18.040.030 Termination**

~~An applicant may terminate any application set forth in this Subdivision Code upon written notice to the Planning Director at any time prior to the Approving **or** and **Appeal** Authority approval of **decision on** the tentative map or permit. The processing fees shall be per the City's fee resolution.~~